

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DOROTHY TONEY-ACON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:08CV1229 RWS
)	
CITY OF UNIVERSITY CITY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER


This matter is before me on plaintiff's motion for leave to file an amended complaint. Plaintiff's motion refers to the proposed amended complaint "attached to this motion," but no such proposed amended complaint appears in the file. For the Court to rule on the motion, plaintiff should supplement her motion for leave by filing a copy of her proposed amended complaint.

I have also considered plaintiff's response to the defendant's motion to dismiss, which I granted plaintiff leave to file out of time. Plaintiff's response does not convince me that my November 18, 2008 decision was in error, so I will not reconsider my decision to dismiss her state-law claims or her retaliation claims without prejudice. However, as I explained to plaintiff at the scheduling conference on November 20, 2008, plaintiff can amend her complaint to allege her claims for retaliation if she can make the allegations necessary to state retaliation

claims.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall supplement her motion for leave to amend [#16] with a copy of her proposed amended complaint for the Court's consideration.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 25th day of November, 2008.